

# **ADR Committee Meeting**

**May 5, 2005**

## **Attendance:**

**In Person:** Eleanor Barr  
Jane Garzilli  
Gerald Phillips  
Carol Medof

**By Phone:** John Carpenter  
Michael Carbone  
Barry Newman  
Eric Van Ginkel  
Ken Weinman  
James Schurz  
Michelle Fluour  
Paul Dubow

I. Approval of Minutes of February 3, 2005 and March 24, 2005 meetings.

II. Education Committee Update

A. New Project re drafting ADR Clauses (Swanson/Dubow/Barr) -

B. Tele-Seminar – Discussion concerning presentation of tele-seminars for the Business Law Section, and how it could be done. Might be useful to utilize e-mail to take questions from the audience, have a panel composed of litigators and transactional attorneys, and all members of the panel in the same room. Some Annual Conference Proposals that might be done in a Tele Seminar – “Cultural Differences in Business Disputes”, and “Impediments to Settlement.” Other topics might be on Class Actions, “Mediation Advocacy,” “The Importance of Negotiating an ADR Clause.”

C. Annual Conference - Ken Weinman suggested that the upcoming annual meeting was an opportunity to get others interested in the Committee, and that each of the current Committee members attend and speak at the meeting. Normally people are asked to attend and observe a membership meeting.

VIII. ADR events

A. DRS dinner and Ad by BLS-ADR Committee on June 2, 2005 – Gerry Phillips and Eleanor Barr gave a report.

IV. Discussion on Committee Membership – We are authorized 24 members, and we have 21

members now. The committee is seeking new members.

III. Update on Website – Michael Carbone gave a report on the changes and updates made to the website, and invited members of the Committee to view the site, and suggest changes. When updates are made it goes out to the Committee’s constituency. Michael agreed to contact the Business Law News, and insert the Committee’s website.

Other - Legislation – Discussion concerning proposed AB 1700 provides that action based upon public danger, shall be public information, and any settlement agreement shall not be subject to confidentiality. Other pending legislation would require full time attorney/mediators to maintain active bar membership based on the argument that attorney/mediators are subject to regulation by the state bar, but not paying bar dues.

III. Adjourned - Meeting was adjourned at 1:40 p.m.